

**Enrolled Minutes of the Ninth Regular or Special Meeting  
For the Twenty-Eighth Highland Town Council  
Regular Meeting  
Monday, April 11, 2016**

*Study Session.* The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, April 11, 2016 at 6:50 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

**Silent Roll Call:** Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper were present. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council reviewed and discussed the agenda of the imminent regular meeting.

The study session ended at 7:00 O'clock p.m.

*Regular meeting.* The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, April 11, 2016 at 7:02 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and with the Ms. Lily Rex, Highland's First Poet Laureate, offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, and Konnie Kuiper. Councilor Steve Wagner was absent owing to a work commitment. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Esq., Town Attorney; John M. Bach, Public Works Director; Bob Johnsen, Assistant Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; Cecile Petro, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

*Also present:* Randy Bowman, Assistant Inspector for Electrical Code; Susan Murovic, Advisory Board of Zoning Appeals and Ed Dabrowski IT Director (Contract) were also present.

**Additionally present:** Ms. Lily Rex, Poet Laureate and Consultant in Poetry to the Town of Highland, the First; Hon. William Fine, Indiana State Representative District 12; and Hon. Daniel Dernulc, Lake County Councilor, District Four, were also present.

**Minutes of the Previous Meetings:** The minutes of the regular meeting of March 28, 2016 were approved by general consent.

**Special Orders:**

1. **Public Presentation:** The Public Works Director offered a general survey assisted by a power point presentation regarding the matter of the proposed establishment of a General Improvement District to be associated with a project to improve the 3400 Block of Condit Street to be known as the Condit Street Reconstruction Project II, financing the cost of these improvements through the Municipal General Improvement Fund.

The Public Works Director noted that the project involved Condit Street between Grace Street and Johnston Street. He noted that there existed no curb or sidewalk presently, but this project would change that. There were 21 property owners with 20 actually signing a petition regarding this project. There were 16 signers who expressed favoring the current project. Finally, the Public Works Director reported that the concrete curb would cost \$19/lineal foot and sidewalk would cost \$23.33 lineal foot.

A formal public hearing would be conducted at the Town Council meeting of Monday, April 25, 2016. With leave from the Town Council, the public was invited to comment or offer questions.

An unidentified resident asked about the estimated time to completion. She was advised that from receipt of notice to proceed, the contractor would have 120 days.

2. **Executive Proclamation:** A Proclamation Commending and Affirming the Selection by the Board of Directors of the Main Street Bureau of the Redevelopment Department of the First Poet Laureate of Highland.
  - (a) The Clerk-Treasurer read aloud the Executive Proclamation and the Town Council President executed it with his signature. He presented one with a gold seal to the Poet Laureate and Consultant in Poetry to the Town of Highland, the First.
  - (b) Introduction of Ms. **Lily Rex**, *Poet Laureate and Consultant in Poetry to the Town of Highland, the First*. The Redevelopment Director introduced Ms. Rex, who then read poem she composed on the subject of Wicker Park Estates and why it was named "Frog Hollow". She also described some of her goals for the year as Poet Laureate.

**TOWN of HIGHLAND  
PROCLAMATION of the TOWN EXECUTIVE**

**A Proclamation Commending and Affirming the Selection Supported by the Board of Directors of the Main Street Bureau of the Redevelopment Department the First Poet Laureate of Highland, Lily Rex.**

**Whereas**, The Thirty-fifth President of the United States of America, John F. Kennedy, well instructed us: *"When power leads man towards arrogance, poetry reminds him of his limitations. When power narrows the area of man's concern, poetry reminds him of the richness and diversity of his existence. When power corrupts, poetry cleanses;"*

**Whereas**, Poetry has power to enrich, enliven, elevate and enhance the human experience for persons who inhabit all walks of life, both learned and lay;

**Whereas**, Throughout history, poetry has at times inspired and at other times challenged people with the highest ideals of character, conduct and patriotism to reflect and respond to matters of great pith and moment;

**Whereas**, The Board of Directors of the Main Street Bureau of the Highland Redevelopment Department, developed a project to recruit and select a person to become the first *Poet Laureate of Highland*;

**Whereas,** The Board of Directors of the Main Street Bureau of the Highland Redevelopment Department, believed such a project to be of great public import offering great benefits to community comity and well-being;

**Whereas,** The Board of Directors of the Main Street Bureau of the Highland Redevelopment Department, engaged a committee of published poets to review and then choose the finalist to become the first *Poet Laureate of Highland*;

**Whereas,** Highland resident **Lily Rex**, was selected to be the very first *Poet Laureate of the Town of Highland*, evidencing her place as a community leader, reflecting time honored values associated with the humane letters and the power of words to engage the imagination as well as elevate the spirit; and

**Whereas,** It is most appropriate that we recognize the person selected as well as the people whose work led to the establishment of the first Highland Poet Laureate;

**Now, Therefore,** I, Bernie Zemen, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim, recognize, commend and designate **Lily Rex** *Poet Laureate and Consultant in Poetry to the Town of Highland, the First*;

**Further,** I extend appreciation to Julie Larson and her fellow Members of the Board of Directors of the Main Street Bureau of the Highland Redevelopment Department for their hand in the project that encouraged this significant moment;

**Still Further,** I urge the citizens of Highland to celebrate **Lily Rex** *Poet Laureate and Consultant in Poetry to the Town of Highland, the First* and this most commendable designation, by reading, writing and listening to poetry;

**IN WITNESS WHEREOF,** I hereunto set my signature and cause the corporate seal of the municipality to be affixed, this 11<sup>th</sup> day of April 2016, as the sixty-fifth municipal executive of the Town and a member of its Town Council, the twenty-eighth.

**TOWN of HIGHLAND, INDIANA**  
**By its TOWN COUNCIL PRESIDENT**

**Bernie Zemen, President**

**Attest:**

**Michael W. Griffin IAMC/MMC/CPFA/CPFIM/CMO**  
**Clerk-Treasurer**

**Staff Reports:** The following staff reports were received and filed.

• **Building & Inspection Report for March 2016**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:		0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	3	0	3	\$111,400.00	\$2,035.50
Signs:	5	0	5	\$69,381.00	\$1,987.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	71	71	0	\$531,398.00	<b>\$9,103.00</b>
Garages:	1	1	0	\$18,000.00	\$393.50
Sheds:	1	1	0	\$2,259.00	\$95.00
Decks & Porches:	4	4	0	\$18,680.00	\$600.00
Fences:	18	18	0	\$45,286.00	\$1,699.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	5	5	0	\$57,871.00	\$981.00

Miscellaneous	2	1	1		\$120.00
<b>TOTAL:</b>	<b>110</b>	<b>101</b>	<b>9</b>	<b>\$854,275.00</b>	<b>\$17,014.50</b>
Electrical Permits	26	22	4		\$1,893.00
Mechanical Permits	9	6	3		\$765.50
Plumbing Permits	8	6	2		\$1,004.25
Water Meters	5	3	2		\$1,150.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
<b>TOTAL Plumbing:</b>	<b>13</b>	<b>9</b>	<b>4</b>		<b>\$2,154.25</b>

**March Code Enforcement:**

Investigations: 65  
Citations: 2

**March Inspections:**

Building: 28      Electrical: 22      Plumbing: 15      HVAC: 15  
Electrical Exams: 5

• **Fire Department Report for March 2016**

	Month	1st half of year
General Alarms	5	28
Still Alarms	5	19
Paid still alarms	29	80
<b>Total:</b>	<b>39</b>	

• **Workplace Safety Report for March 2016**

There was one incident to report for March. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2016	Total in 2015	Restricted Days 2016	Lost Workdays This Year (2016)	Restricted Days Last Year (2015)	Lost Workdays Last Year (2015)
Parks	1	1	1	12	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	0	1	0	0	0	0
Street	0	0	2	0	0	0	0
Water & Sewer	0	0	4	0	0	5	0
Maint.	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>12</b>	<b>0</b>	<b>5</b>	<b>0</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Appointments:**

• **Statutory Boards and Commissions**

*Executive Appointments (May be made in meeting or at another time)*

(Appointments have been placed on agenda in case there is readiness to act)

- Lake County Convention and Tourism Bureau/Lake Shore Convention and Visitors Authority.** (1) Appointment to be made by municipal executive. Appointee may not hold an elected or political office. Municipal executive shall

give sole consideration to individuals who are knowledgeable or employed as executives or managers in at least one of several hotel or hospitality businesses expressly identified in IC 6-9-2-3(h). *Position currently held by Christine Cash, who manages a Hotel. Term expires June 30.*

The Town Council President announced his re-appointment of **Christine Cash**.

**Unfinished Business and General Orders:**

1. **Works Board Order No. 2016-13:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Direct Fitness Solution of Mundelein, IL through the State of Indiana to purchase fitness equipment and supplies pursuant to I.C. 5-22-8-2.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2016-13. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

With leave from the Town Council, Councilor Herak inquired about the rationale for the purchase noting that all workers have access under the wellness program of the Town to the Fitness Center at Lincoln Community Center. The Metropolitan Police Chief indicated that the Fitness Center had mostly cardio-vascular equipment and that the officers prefer strength-training devices.

**Town of Highland  
Board of Works  
Order of the Works Board 2016-13**

**An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Direct Fitness Solution of Mundelein, IL through the State of Indiana to purchase fitness equipment and supplies pursuant to I.C. 5-22-8-2.**

**Whereas**, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

**Whereas**, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$150,000.00.

**Whereas**, the Metropolitan Police Chief has identified Direct Fitness Solution of Mundelein, IL through the State of Indiana to be a desirable source vendor for the purchase of fitness equipment and supplies at a price of \$15,989.35

**Whereas**, the price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (C)(E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency; and

**Whereas**, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(2) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

**Whereas**, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

**Whereas**, The Purchasing Agent, pursuant to Section 3.05.060 (G)(2) of the Highland Municipal Code, expected that the purchase would be less than \$50,000 and therefore chose to purchase in the open market without inviting or receiving quotes.

**Whereas**, The Purchasing Agent, pursuant to 3.05.065 (F) of the HMC elected to make a special purchase when there exists a unique opportunity to obtain supplies or services at a substantial savings to the governmental body

**Whereas**, the purchase of the office equipment and supplies will be supported by the Police Donation Fund and Federal Forfeiture Fund.

**Whereas,** The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein.

**Now, Therefore Be It Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

**Section 1.** That the Works Board hereby authorizes and approves the purchase from Direct Fitness Solutions of Mundelein, IL for the purchase of the fitness equipment and supplies in the amount of \$15,989.35 pursuant to IC 5-22 and Section 3.05.060 (G) (2) of the Highland Municipal Code;

**Section 2.** That the Works Board hereby finds and determines that the offer from Direct Fitness Solutions of Mundelein, IL to be the most responsible offered at the price of \$15,989.35 all pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

**Section 3.** That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

**Be it So Ordered.**

**Duly adopted** and Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana, this 11<sup>th</sup> day of April 2016 by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA**

Bernie Zemen, President

*Attest:*

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

2. **Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for 3 workers in the public works department (agency). Pursuant to Section 4.13 of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council.** In this case, as the Town Council is also works board for the municipality, its approval alone is all that is required.

*The Operations Director requests that the Town Council act favorably on the Letters of Commendation for the following workers, who are selected as Employees of the Month:*

- Danny Martinez, January 2016
- Dave Ferrara, March 2016
- Chris Geary, April 2016

Councilor Vassar moved to approve the letters of commendation and the paid day off for the persons named. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The letters of commendation for exemplary public service leading to the award of a single paid day off for 3 workers were approved.

3. **Authorizing the proper officer to publish legal notice of a public hearing to consider additional appropriations in the amount of \$15,000 in the Advisory Board of Zoning Appeals Department of the Corporation General Fund.**

Councilor Herak moved to authorize the proper officer to advertise for a hearing on proposed additional appropriations. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The publication for the hearing was approved.

It was noted that the date of the hearing was not indicated. The Clerk-Treasurer indicated that this additional appropriation would be supported by reduction and not surplus based upon the limited margin for revenue in excess of balance for the current

budget year. The Clerk-Treasurer would need added time to identify appropriations that could be reduced.

**Comments or Remarks from the Town Council:**

**(For the Good of the Order)**

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak acknowledged the Public Works Director, who reported on the status of a recent meeting between the Town of Highland, the City of Hammond and United States EPA regarding the status of projects to reduce and manage Sanitary Sewage Outflows.

The Public Works Director also offered a survey of pending projects in the public works department (agency). He noted that a list of paving for roads in town was being developed.

- **Councilor Dan Vassar:** *• Liaison to the Park and Recreation Board.*

Councilor Vassar acknowledged the Parks and Recreation Superintendent, who reported the date of the annual Park Pride Day for April 23 and offered a survey of recreation programs underway.

- **Councilor Steve Wagner:** *• Advisory Board of Zoning Appeals Liaison.*

Councilor Wagner was absent owing to work commitment.

- **Councilor Konnie Kuiper:** *• Town Board of Metropolitan Police Commissioners, Liaison. • Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Metropolitan Police Chief, who reported of several matters to be taken up by the Traffic Safety Commission.

Councilor Kuiper acknowledged the Fire Chief, who reported that the recently purchased Fire Rescue was now part of the Fire Fleet, and was recently used for an incident response.

- **Council President Bernie Zemen:** *Municipal Executive Chamber of Commerce Co-Liaison • IT Liaison • Redevelopment Commission Liaison.*

The Town Council President acknowledged the Building Commissioner, who offered a cursory report on Plan Commission petitions.

The Town Council President acknowledged the Hon. Dan Dernulc, former Highland Town Councilor and current Fourth District Lake County Councilor, to introduce Hon. William Fine, Indiana State Representative District 12.

Representative Fine offered a survey of actions taken by the recently adjourned Indiana General Assembly, short session. He reported that over 500 bills were introduced. He further noted that 180 million dollars was approved for the Westlake South Shore expansion.

**Comments from Visitors or Residents:**

1. Dan Dernulc, 9905 Prairie Avenue, Highland, noted the recent loss of his Aunt and commended the police for their response.

Mr. Dernulc also asked why the former *DeMello Park* was changed to *Meadows Park*.

With leave from the Town Council, the Clerk-Treasurer offered what he described as an "*anecdotal*" and perhaps "*apocryphal*" explanation. The Clerk-Treasurer offered that it was his understanding that Meadows Park was the name identified in the applications for the Federal money drawn through the *Indiana Department of Natural Resources* that supported the development of the park. Further, it was noted that the former name, DeMello, was the name of a former Park Director. He, as all directors up until the appointment of the first full-time appointee 1972, was not a full-time employee. The Clerk-Treasurer offered it was his further understanding that there was a concern whether the original park name emanated from the Park and Recreation Board.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Herak moved to allow the vendors' accounts payable vouchers as filed on the pending accounts payable docket, covering the period March 29, 2016 through April 11, 2016. Councilor Vassar seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$204,655.53; Motor Vehicle Highway and Street (MVH) Fund, \$56,462.32; Law Enforcement Continuing Education, Training, and Supply Fund, \$5,747.96; Insurance Premium Fund, \$145,702.02; Information and Communications Technology Fund, \$5,723.98; Municipal Cumulative Capital Development Fund, \$23,188.70; Traffic Violations and Law Enforcement Agency Fund, \$8,523.50; Gaming Revenue Sharing Fund, \$3,650.00; Public Safety Income Tax Fund, \$35,740.20; Total: \$489,394.21.**

**Adjournment of Plenary Meeting.** Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, April 11, 2016 was adjourned at 7:55 O'clock p.m. There was no study session following this meeting.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer